IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION Nos. 4323 of 2001, 6602 of 2002, 21414 of 2002,

And 26239 of 2003

And

Contempt Case Nos.293, 1246, 1455 of 2003, and 121 of 2004.

Writ Petition No: 4323 of 2001:

Between:

1. M. Tata Rao, S/o. Late M.V.Challeswararao,

50 years, Lecturer in Mathematics, M.R.K.Polytechnic,

Veeravasaram, West Godavari District.

2. T. Venkateswara Rao, S/o.late Sarveswara Rao,

39 years, Associate Lecturer in Mechanical Engineering,

M.R.K.Polytechnic, Veeravasaram, West Godavari District.

3. J.J.S.Prasad, S/o. Sreeramulu, aged 42 years,

Lecturer in Physics, M.R.K. Polytechnic, Veeravasaram,

West Godavari District.

4. B.V.N. Murthy, S/o. Bala Kameswara Rao,

42 years, Lecturer in Chemistry,

M.R.K.Polytechnic, Veeravasaram, West Godavari District.

5. M.Ravi, S/o. Naidu, alias Venkataswamy,

aged about 43 years, Senior Instructor,

M.R.K. Polytechnic, Veeravasaram, West Godavari District.

6. K. Sriram, S/o. Harinarayana, aged 50 years,

Lecturer in Mechanical Engineering, M.R.K.Polytechnic,

Veeravasaram, West Godavari District.

7. V. Achutha Rao, S/o. Narayana Rao,

aged about 41 years, Junior Instructor,

M.R.K.Polytechnic, Veeravasaram, West Godavari District.

8. P. Narasimha Rao, S/o. Subba Rao,

aged about 54 years, Junior Instructor,

M.R.K. Polytechnic, Veeravasaram, West Godavari District.

9. Y. Venkata Rao, S/o. Tataiah, aged 50 years,

Lab Assistant, M.R.K.Polytechnic, Veeravasaram,

West Godavari District.

10.K. Mahankali, S/o. Ramaswamy, aged 49 years,

Lab Assistrant, M.R.K.Polytechnic, Veeravasaram,

West Godavari District.

..... PETITIONERS

AND

1. Government of A.P., rep.by its Prl. Secretary,

Higher Education Department,

Secretariat Buildings, Hyderabad.

2. The Commissioner of Technical Education,

5th Floor, B.R.K.R. Buildings, Hyderabad.

3. The Chairman, All India Council for Technical Education,

Indira Gandhi Sports Complex, I.P. Estate, New Delhi.

4. The Principal, M.R.K. Polytechnic,

Veeravasaram, West Godavari District.

5. The Secretary & Correspondent,

M.R.K.Polytechnic, Veeravasaram,West Godavari District. . ....**RESPONDENTS**

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue writ of mandamus declaring the action of the 5th respondent college in not paying salaries to the petitioners from May, 2000 till date as illegal, improper, unjust and contrary to law and also direct the respondents 1 to 4 to take appropriate action against the 5th respondent for not paying salaries to the petitioners and also for not implementing 1999 revised pay scales to them.

Counsel for the Petitioner: MR.N.S.BHASKARA RAO

Counsel for the Respondents 1 to 4: GP FOR HIGHER EDUCATION

Counsel for the 5th respondent: Mr. D.V. Sitharam Murthy.

And

W.P.NO.6602 of 2002:

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Between:

1. I. Narasimha Rao, S/o. I. Moolaswamy,

aged 40 years, Junior Instructor,

MRK Polytechnic, Veeravasaram,

West Godavari District.

2. R. Murali Srinivasulu, S/o. Satyanarayana Murthy,

aged 37 years, Junior Assistant,

MRK Polytechnic, Veeravasaram,

West Godavari District.

3. Ch. V.R. Vyakunta Rao, S/o. Lakshmayaiah,

aged 38 years, Lab Assistant, MRK Polytechnic,

Veeravasaram, West Godavari District.

4. K.V.L. Narasimha Rao, S/o. Venu Gopal Krishna Murthy,

aged 36 years, Lab Assistant, MRK Polytechnic,

Veeravasaram, West Godavari District.

5. Mohd. Abdul Khadher, S/o.Mohd. Kahar Mohidden,

aged about 36 years, Lab Assistant, MRK Polytechnic,

Veeravasaram, West Godavari District.

6. V. Hari Babu, S/o. Badharayya,

aged about 36 years, Lab Assistant,

MRK Polytechnic, Veeravasaram,

West Godavari District.

7. Smt. K.S.V.V. T. Lakshmi,

W/o. V. Krishna Rao, aged 42 years,

Lecturer, MRK Polytechnic, Veeravasaram,

West Godavari District.

..... PETITIONERS

AND

1. Government of A.P., rep.by its Prl.Secretary,

Higher Education Department, Secretariat Buildings,

Hyderabad.

2. The Commissioner of Technical Education, 5th Floor,

B.R.K.R. Buildings, Hyderabad.

3. The Chairman, All India Council for Technical Education

Indira Gandhi Sports Complex, I.P.Estate, New Delhi.

4. The Principal, MRK Polytechnic, Veeravasaram,

West Godavari District.

5. The Secretary and Correspondent,

MRK Polytechnic, Veeravasaram,

West Godavari District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue Writ of Mandamus declaring the action of the 5th respondent in not paying salaries to t he petitioners herein from May, 2001 till to date as illegal, improper, unjust contrary to law and also direct the respondents 1 to 4 to take appropriate action against the 5th respondent for not paying salaries to the petitioners and also for not implementing 1999 Pay Revision Scales.

Counsel for the Petitioners : MR.I.SREE RAMA MURTHY

Counsel for the Respondents 1 to 3 : GP FOR HIGHER EDUCATION

Counsel for R4 : Mr. K. Chidambaram.

Counsel for the Respondent No.5 : Mr. D.V.Sitarama Murthy

And

C.C.NO.293 OF 2003

IN

W.P.M.P.NO.8277 OF 2002

IN

WRIT PETITION NO : 6602 of 2002

(Contempt Case U/s. 10 to 12 of Contempt of Courts Act to punish the respondents herein for contempt of Court for willfully disobeying the orders of this Hon'ble Court passed on 03-06-2002 in WPMP No.8277/02 in W.P.No.6602/2002.)

Between:

1. I. Narasimha Rao, S/o. I. Moolaswamy,

aged 41 years, Junior Instructor,

MRK Polytechnic, Veeravasaram,

West Godavari District.

2. R. Murali Srinivasulu, S/o. Satyanarayana Murthy,

aged 38 years, Junior Assistant,

MRK Polytechnic, Veeravasaram,

West Godavari District.

3. Ch. V.R. Vyakunta Rao, S/o. Lakshmayaiah,

aged 39 years, Lab Assistant, MRK Polytechnic,

Veeravasaram, West Godavari District.

4. K.V.L. Narasimha Rao, S/o. Venu Gopal Krishna Murthy,

aged 37 years, Lab Assistant, MRK Polytechnic,

Veeravasaram, West Godavari District.

5. Mohd. Abdul Khadher, S/o.Mohd. Kahar Mohidden,

aged about 37 years, Lab Assistant, MRK Polytechnic,

Veeravasaram, West Godavari District.

6. V. Hari Babu, S/o. Badharayya,

aged about 37years, Lab Assistant,

MRK Polytechnic, Veeravasaram,

West Godavari District.

7. Smt. K.S.V.V. T. Lakshmi,

W/o. V. Krishna Rao, aged 43 years,

Lecturer, MRK Polytechnic, Veeravasaram,

West Godavari District.

……PETITIONERS/PETITIONERS/PETITIONERS

AND

V. Satyanarayana @ Babji, The Secretary and Correspondent,

MRK Polytechnic, Veeravasaram, West Godavari District.

.....RESPONDENT/ RESPONDENT/ RESPONDENT.

Counsel for the Petitioners : MR.I.SREE RAMA MURTHY

Counsel for the Respondent : Mr. D.V.Sitarama Murthy

And

WRIT PETITION NO.21414 of 2002:

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Between:

Bolisetti Ravuliyya S/o. Venkateswara Rao,

Occu.Roneo Operator, r/o.Adavipalem

Elamanchili mandal, West Godavari District.

..... PETITIONER

AND

1 The Commissioner of Technical Education,

B.R.K.Bhavan, Hyderabad
2 The Principal, M.R.K.Polytechnic, Veeravasaram, W.G.District.
3 The Maddala Ramakrishnamma Polytechnic,

Veeravasaram, W.G.Dt. rep., by its Secretary and Correspondent.
4 The Secretary to Government Labour,

Employment & Technical Education
Secretariat buildings,Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction more particularly one in the nature of writ of mandamus declaring the action of the respondents the punishment of discharge proceedings after 16 years of unblemished service, imposed by the third respondent vide proceedings dated 12.10.2002 as illegal, unjust and unsustainable as the same was passed without providing any reasonable opportunity and without even issuing any prior notice and inquiry as such liable to be set aside in the interest of justice with a consequential direction to R-3 herein to continue the petitioner by paying the arrears of wages forthwith.

Counsel for the Petitioner :MR.S.M.SUBHAN

Counsel for the Respondents 1,2 and 4: GP FOR HIGHER EDUCATION

Counsel for the 3rd respondent: Mr. K. Chidambaram.

WRIT PETITION NO:26239 OF 2003:

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BETWEEN:

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1 G.V.V.Satyanarayana Murthy, S/o.Rama Murthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
2 M.C.S.Bhavani Prasad, S/o.Apparao,Working in

M.R.K.Polytechnic,Veeravasaram, R/o.Veeravasaram,

West Godavari District.
3 Y.Ch.Prasad, S/o.Seshagiri Rao,Working in

M.R.K.Polytechnic,Veeravasaram, R/o.Veeravasaram,

West Godavari District.

4 V.Srinivasa Rao, S/o.Adinarayana, Working in

M.R.K.Polytechnic,Veeravasaram, R/o.Veeravasaram,

West Godavari District.
5 Ch.M.Krishna Reddy, S/o.Somi Reddy, Working in

M.R.K.Polytechnic, Veeravasaram, R/o.Veeravasaram,

West Godavari District.
6 V.Venkateswara Rao, S/o.Narayana Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
7 A.Koteswara Rao, S/o.Venkata Ratnam,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
8 B.Venkateswara Rao, S/o.China Pallayya,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
9 Y.V.V.Satyanarayana, S/o.Lakshmana Swamy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
10 Y.Suryanarayana Rao, S/o.Vishnumurthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
11 P.Subba Rao, S/o.Satyanarayana Murthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
12 T.Seshagiri Rao, S/o.Satyanarayanamurthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

13 G.Venkata Swamy, S/o.Visweswara Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
14 G.Ranga Rao, S/o.Suryanarayanamurthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
15 B.Lakshmana Swamy, S/o.Venkataratnam,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
16 Karra Raju, S/o.Appa Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
17 A.Vishnu Murthy, S/o.Chinasubba Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
18 S.V.V.Satyanarayana, S/o.Venkata Ratnam,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
19 D.Venkata Reddy, S/o.Venkanna,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
20 G.Venkatasesha Talpasai, S/o.Srirama Murthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

21 M.Vijaya Bhaskar, S/o.M.V.Raghava Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
22 V.Seshagiri Rao, S/o.Satyananda Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
23 K.V.Venu, S/o.Krishna Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
24 B.Pardha Saradhi, S/o.Late B.N.Murthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

….. PETITIONERS

AND

1 The Government of Andhra Pradesh,

Rep. by its Principal Secretary,

Higher Education Department,

A.P.Secretariat, Hyderabad.
2 The Commissioner of Technical Education,

5th Floor, BRKR Buildings, Hyderabad.
3 The Chairman, All India Councill for Technical Education,

Indiragandhi Sports Complex, I.P.Estate, New Delhi.
4 The Principal, M.R.K.Polytechynic, Veeravasaram, W.G.District.
5 The Secretary and Correspondent, M.R.K.Polytechnic,

Veeravasaram, W.G.District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 5th respondent Polytechnic in not paying salaries to the Petitioners from March, 2002 onwards till today, as illegal, arbitrary and contrary to law and consequently direct the respondents 1 to 4 herein to take appropriate action against 5th respondent for not paying the salaries to the Petitioners and also not implementing 1999 Revised Pay Scales to Petitioners.

Counsel for the Petitioners: MR.POLISETTI RADHA KRISHNA

Counsel for the Respondent No.1 and 2 : GP FOR HIGHER EDUCATION

Counsel for the respondent No.3: KUM.C.SINDHU KUMARI

Counsel for the respondent No.4 :MR.M.V.S.SURESH KUMAR

Counsel for the respondent No.5:MR.K.CHIDAMBARAM

CONTEMPT CASE NO : 121 of 2004

AGAINST

W.P.M.P.NO.33172 OF 2003

IN

W.P.NO.26239 OF 2003

(Contempt Case U/s. 10 to 12, of Contempt of Courts Act to punish the respondent for contempt of court for disobeying the Orders passed by the Hon'ble Mr.Justice C.V. Ramulu passed in W.P.M.P.No.33172/2003 in W.P.NO.26239 OF 2003, DT.18-12-2003 under the provision of the contempt of courts Act.)

Between:

1 G.V.V.Satyanarayana Murthy, S/o.Rama Murthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
2 M.C.S.Bhavani Prasad, S/o.Apparao,Working in

M.R.K.Polytechnic,Veeravasaram, R/o.Veeravasaram,

West Godavari District.
3 Y.Ch.Prasad, S/o.Seshagiri Rao,Working in

M.R.K.Polytechnic,Veeravasaram, R/o.Veeravasaram,

West Godavari District.
4 V.Srinivasa Rao, S/o.Adinarayana, Working in

M.R.K.Polytechnic,Veeravasaram, R/o.Veeravasaram,

West Godavari District.
5 Ch.M.Krishna Reddy, S/o.Somi Reddy, Working in

M.R.K.Polytechnic, Veeravasaram, R/o.Veeravasaram,

West Godavari District.
6 V.Venkateswara Rao, S/o.Narayana Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
7 A.Koteswara Rao, S/o.Venkata Ratnam,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
8 B.Venkateswara Rao, S/o.China Pallayya,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
9 Y.V.V.Satyanarayana, S/o.Lakshmana Swamy,

Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

10 Y.Suryanarayana Rao, S/o.Vishnumurthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

11 P.Subba Rao, S/o.Satyanarayana Murthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

12 T.Seshagiri Rao, S/o.Satyanarayanamurthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

13 G.Venkata Swamy, S/o.Visweswara Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

14 G.Ranga Rao, S/o.Suryanarayanamurthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

15 B.Lakshmana Swamy, S/o.Venkataratnam,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

16 Karra Raju, S/o.Appa Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

17 A.Vishnu Murthy, S/o.Chinasubba Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

18 S.V.V.Satyanarayana, S/o.Venkata Ratnam,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

19 D.Venkata Reddy, S/o.Venkanna,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

20 G.Venkatasesha Talpasai, S/o.Srirama Murthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

21 M.Vijaya Bhaskar, S/o.M.V.Raghava Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

22 V.Seshagiri Rao, S/o.Satyananda Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
23 K.V.Venu, S/o.Krishna Rao,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.
24 B.Pardha Saradhi, S/o.Late B.N.Murthy,
Working in M.R.K.Polytechnic, Veeravasaram,

R/o.Veeravasaram, West Godavari District.

….. PETITIONERS

AND

1 Sri G. Sudheer, Principal Secretary,
Higher Education Department, A.P. secretariat,
Hyderabad.
2 Sri A.R. Sukumar, Commissioner of Technial Education,
5th Floor, B.R.K.R. Buildings,
Hyderabad.

3 Sri R. Nata Rajan, Chairman,
All India Council for Technical Education,

Indiragandhi Sports Complex,
I.P.Estate, New Delhi.

4 Sri G.V.S. Nageswara Rao, Principal,
M.R.K. Polytechnic, Veeravasaram,
W.G.Dist.
5 Sri V.Satyanarayana @ Babji,

Secretary & Correspondent,
M.R.K.Ploytechnic, Veeravasaram,
W.G.Dist.

.....RESPONDENTS

Counsel for the Petitioners: MR.POLISETTI RADHA KRISHNA

Counsel for the Respondents: Mr. K. Chidambaram.

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CONTEMPT CASE NO : 1246 of 2003

IN

W.P.M.P.No.21414 of 2002

In

WRIT PETITION NO: 19783 OF 2002

(Contempt Case U/s. 10 to 12 of Contempt of Courts Act to punish the Respondents for contempt of court to take cognizance of the contempt of this Hon'ble Court committed by the respondents herein in disobeying and not complying with the orders issued by this Hon'ble Court dated 29-10-2002 in WPMP No.26873/2002 in W.P.No.21414 of 2002 by his Lordship Sri Justice E. Dharma Rao garu and to punish the contemnors as per the provisions of the contempt of Court Act.)

Between:

Bolisetti Ravuliyya S/o. Venkateswara Rao
R/o. Adavipalem Elamachili Mandal
West Godavari Dist.

..... PETITIONER

AND

1. A.R. Sukumar,

The Commissioner of Technical Education,

B.R.K.Bhavan, Hyderabad.

2. Sri G.V.S. Nageswara Rao,

The Principal, M.R.K. Polytechnic, Veeravasaram,

West Godavari District.

3. V. Satyanarayana, The Maddala Rama Krishnamma

Polytechnic, Veeravasaram, W.G. Dist., rep.by its Secretary

and Correspondent.

4. The Secretary to Government Labour, Employment

and Technical Education, Secretariat Buildings,

Hyderabad.

.....RESPONDENTS

Counsel for the Petitioner:MR.S.M.SUBHAN

Counsel for the Respondent No.3: MR.D.V.SITARAMAMURTHY

Contempt Case No.1455 of 2003

In

W.P.No.23962 of 2002

(Contempt Case U/s. 10 to 12 of Contempt of Courts Act to punish the Respondents herein for not complying with the order of this Hon'ble Court passed in WP No. 23962 of 2002 dated 29-11-2002.

Between:

Smt.N.V. Padmaja W/o. S.Bhaskar
Civil Engineering Department, M.R.K. Polytechnic,

Veeravasaram, W.G.Dist.

..... PETITIONER

AND

1 Sri Ar.Sukumar, I.A.S.,

Commissioner of Technical Education,
Govt.of A.P. Hyderabad.
2 Sri Varadhineedi Satyanarayana,

Secretary & M.R.K. Polytechnic Veeravasaram,
W.G. Dist.
3 G.V.S. Nageswara Rao, Principal,
M.R.K. Polytechnic Veeravasaram,
W.G. Dist.

.....RESPONDENTS

Counsel for the Petitioner: MR.CH.DHANANJAYYA

Counsel for the Respondents 2 & 3: MR.K.CHIDAMBARAM

THE COURT MADE THE FOLLOWING COMMON ORDER:

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THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION Nos. 4323 of 2001, 6602 of 2002 and 21414 of 2002, and 26239 of 2003

And

Contempt Case Nos. 293, 1246, 1455 of 2003 and 121 of 2004

ORAL ORDER:

The learned Counsel appearing for the respective parties represent that in view of the registered agreement entered in between the parties, dated 26.07.2004, no further orders are necessary in all these writ petition and contempt cases, and, therefore, the question of proceeding against the respondents for the alleged violation of the orders of this Court, does not arise.

Accordingly, all these writ petitions and the contempt cases are closed. No order as to costs.

V. ESWARAIAH, J.

30th July, 2004

Note:

Issue C.C. by Monday

(B/o)

bud